

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

XPURTUNIVERSE, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 09-157 (RGA)
)	
CISCO SYSTEMS, INC.,)	
)	
Defendant.)	

NOTICE OF APPEAL

Pursuant to Rule 3 of the Federal Rules of Appellate Procedure and 28 U.S.C. § 1291, notice is hereby given that Plaintiff, XpertUniverse, Inc., appeals to the United States Court of Appeals for the Federal Circuit from, to the extent adverse to XpertUniverse, the final judgment entered by this Court on January 30, 2014 (D.I. 775); the Court's order and accompanying Memorandum Opinion dated January 30, 2014 (D.I. 774 and 773), granting in part and denying in part Cisco's Motion for Judgment as a Matter of Law (D.I. 699); the Court's order and accompanying Memorandum Opinion dated November 20, 2013 (D.I. 768 and 769), granting in part and denying in part XpertUniverse's Motion to Alter or Amend the Judgment Pursuant to Federal Rule of Civil Procedure 59(e) and Motion for Attorneys' Fees Pursuant to 35 U.S.C. § 285 (D.I. 702), and granting in part and denying in part Cisco's Motion for Judgment as a Matter of Law (D.I. 699); the Court's definitive ruling on the record denying XpertUniverse's request for an instruction on punitive damages (D.I. 679, Trial Tr. vol. 7, 2035-36); the Court's order dated August 15, 2013 (D.I. 765), denying XpertUniverse's Motion to Compel Discovery Responses (D.I. 643); the Court's order dated March 13, 2013 (D.I. 648) and related Memorandum Opinion dated March 8, 2013 (D.I. 634), granting in part and denying in part

Cisco's Motion for Partial Summary Judgment (D.I. 297), granting Cisco's Motion for Partial Summary Judgment (D.I. 303), granting in part and denying in part Cisco's Motion for Partial Summary Judgment (D.I. 306), granting in part and denying in part Cisco's Motion for Partial Summary Judgment (D.I. 311), granting Cisco's Motion for Partial Summary Judgment (D.I. 315), granting Cisco's Motion for Partial Summary Judgment (D.I. 320), granting in part and denying in part Cisco's Motion for Partial Summary Judgment (D.I. 327), granting Cisco's Motion for Partial Summary Judgment (D.I. 328), and granting Cisco's Motion for Partial Summary Judgment (D.I. 318); the Court's oral ruling on February 22, 2013 (D.I. 601 at 4) denying XpertUniverse's discovery request; the Court's oral ruling on February 21, 2013 (D.I. 598 at 31-35) denying XpertUniverse's discovery request; the Court's oral ruling on September 7, 2012 (transcript at 34-37) denying XpertUniverse's discovery request; the Court's order and accompanying Opinion dated March 28, 2011 (D.I. 54 and 55), granting in part and denying in part Cisco's Motion to Dismiss Defective Claims in Plaintiff XpertUniverse Inc.'s Third Amended Complaint and to Strike Certain Allegations Therein (D.I. 45); and any and all other orders, rulings, findings, and/or conclusions adverse to XpertUniverse.

Provided with this Notice of Appeal is the \$500 fee for docketing a case on appeal specified in 28 U.S.C. § 1913 and the \$5 fee for filing a notice of appeal specified in 28 U.S.C. § 1917.

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Dated: February 4, 2014
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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that, on February 4, 2014 the within document was electronically filed with the Clerk of the Court using CM-ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading from CM-ECF.

I further certify that on February 4, 2014, the within document was electronically mailed to the following persons:

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